

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA ex rel.  
NHCA-TEV, LLC, and on behalf of STATE  
OF CALIFORNIA, STATE OF  
COLORADO, STATE OF  
CONNECTICUT, STATE OF  
DELAWARE, DISTRICT OF COLUMBIA,  
STATE OF FLORIDA, STATE OF  
GEORGIA, STATE OF HAWAII, STATE  
OF ILLINOIS, CITY OF CHICAGO,  
STATE OF INDIANA, STATE OF  
LOUISIANA, COMMONWEALTH OF  
MASSACHUSETTS, STATE OF  
MICHIGAN, STATE OF MINNESOTA,  
STATE OF MONTANA, STATE OF  
NEVADA, STATE OF NEW JERSEY,  
STATE OF NEW MEXICO, STATE OF  
NEW YORK, STATE OF NORTH  
CAROLINA, STATE OF OKLAHOMA,  
STATE OF RHODE ISLAND, STATE OF  
TENNESSEE, STATE OF TEXAS,  
COMMONWEALTH OF VIRGINIA, and  
STATE OF WISCONSIN ,  
Plaintiff,**

**v.**

**TEVA PHARMACEUTICAL PRODUCTS  
LTD.,  
TEVA PHARMACEUTICALS USA, INC.,  
TEVA NEUROSCIENCE, INC., and  
TEVA SALES AND MARKETING, INC.,  
Defendants.**

**CIVIL ACTION**

**NO. 17-2040**

**ORDER**

**AND NOW**, this 25th day of November, 2019, upon consideration of United States' Motion to Dismiss Relator's First Amended Complaint (Document No. 30, filed December 17, 2018), Relator's Memorandum of Law in Opposition to the United States' Motion to Dismiss Relator's First Amended complaint (Document No. 33, filed January 21, 2019), the Reply

Memorandum of Law in Support of the United States' Motion to Dismiss Relator's First Amended Complaint (Document No. 37, filed February 18, 2019), and the United States' letter containing supplemental authority dated October 30, 2019 (Document No. 41, filed October 30, 2019), following a Hearing and oral argument in open court on November 5, 2019, for the reasons stated in the accompanying Memorandum dated November 25, 2019, **IT IS ORDERED** as follows:

1. The United States' Motion to Dismiss Relator's First Amended Complaint is **GRANTED**. All claims in the First Amended Complaint (Document No. 23, filed October 15, 2018) under the False Claims Act, 31 U.S.C. §§ 3729-3733, are **DISMISSED WITH PREJUDICE** as to NHCA-TEV, LLC and **WITHOUT PREJUDICE** as to the United States;
2. The remaining claims—state and local claims—in the First Amended Complaint are **DISMISSED WITHOUT PREJUDICE**;
3. Defendants' Motion to Dismiss Relator's First Amended Complaint (Document No. 27, filed November 21, 2018) is **DENIED AS MOOT**; and
4. The Clerk of Court shall **MARK** this case **CLOSED**.

**BY THE COURT:**

**/s/ Hon. Jan E. DuBois**

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**DuBOIS, JAN E., J.**